

Remarks/Arguments:

Claims 1, 3-8, 10-13, 15-19 and 31 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Lamberton (US 6,754,220) in view of Shigehashi (JP 2003-046539) and further in view of Kuo (US 7,209,435).

Applicants' claim 1 is very specifically directed to the management of a master router and backup routers. Please note the following language which appears in claim 1:

An inter-router adjustment method ... such that one of the router devices operates as a master router and remaining router devices operate as backup routers ...

... deciding ... a respective router ... to operate as the master router and the plurality of router devices other than the respective router device that are to operate as the backup routers; and

... notifying ... that the respective router device is to operate as the master router and the plurality of router devices other than the respective router device are to operate as the backup routers.

In the Official Action, Lamberton is the primary reference. The Official Action is exceptionally clear that Lamberton is being cited because Lamberton allegedly discloses that "one of the router devices operates as a master router and remaining router devices operate as backup routers." The Official Action, however, is incorrect. Lamberton does not disclose the user of master router and backup routers. Lamberton explicitly states that he is not directed to a master router and backup routers. In particular, col. 4, lines 26-30 of Lamberton states:

Fig. 3 depicts the principle of the invention introducing a new device referred to as a mediator [300]. In this approach the routers are, on contrary of the solutions of the art, undifferentiated i.e., there is no master, back-up or standby designated router.

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Thus, the Official Action is incorrect because Lamberton does not disclose the use of a master router and backup routers. Accordingly, withdrawal of the rejection is respectfully requested.

In addition, other references cited by the Examiner do disclose the use of a master router and backup routers. Thus, it is improper to combine Lamberton (no disclosure of master/backup routers) with the other references of record (disclosure of master/backup routers).

In addition, the Official Action is improper because the basis for combining Lamberton and Shigehashi is incorrect. Specifically, the Examiner says it is obvious to combine the references because:

... as the load of a network relay device is increased, the data to be processed by that network relay device will be reduced automatically so that the load is distributed between the network relay devices, as taught by Shigehashi.

Applicants' representative does not understand the above statement because Lamberton, col. 5, lines 40-45 already describes a process for redistributing load when a router is handling excessive traffic. Thus, Lamberton does not need Shigehashi to redistribute traffic. One of ordinary skill in the art would not combine two references, if a reference by itself was able to already accomplish the goal of the secondary reference. For this additional reason, the combination of the references is improper.

Accordingly, withdrawal of the rejection of claim 1 is respectfully requested.

The remaining independent claims that have been rejected, namely, claims 8, 15, and 19 are also directed to master/backup routers. Accordingly, while these independent claims are not the same as Applicants' claim 1, they are also patentable over the art of record for reasons similar to those set forth above with regard to claim 1.

The dependent claims recited in the above rejection are patentable over the art of record by virtue of their dependency on allowable independent claims.

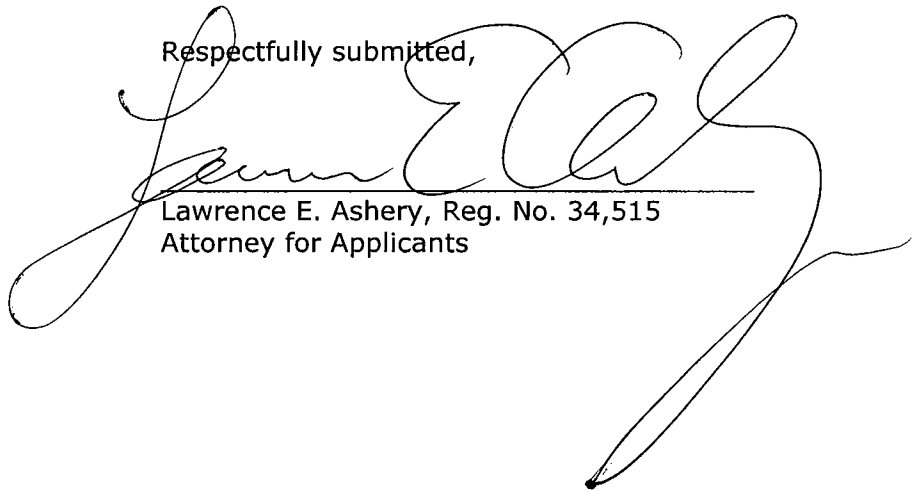
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Claims 14 and 30 have separately been rejected based on a combination of the previously cited references and Odaohhara (US 2002/0144160). These claims, are also patentable by virtue of their dependency on allowable independent claims.

In view of the arguments set forth above, the above-identified application is in condition for allowance, which action is respectfully requested.

Respectfully submitted,

A large, stylized handwritten signature in black ink, likely belonging to Lawrence E. Ashery, is written over a horizontal line. The signature is fluid and cursive, with a long, sweeping tail that extends downwards and to the right.

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